

### **REMARKS**

Claims 1-28 were examined in the outstanding final office action mailed on 09/06/2006 (hereafter "Outstanding Office Action"). All the claims were rejected.

By virtue of this paper, claims 1-4, 7, 11-14, 17, and 20 -24 are sought to be amended and claims 26-28 are sought to be canceled. The amendments and cancellations are believed not to introduce new matter and their entry is respectfully requested. Reconsideration is respectfully requested further in view of the below remarks.

#### ***Information disclosure statement (IDS)***

The Examiner has noted that a prior art reference has been discussed in the prior art, but not submitted in an IDS. Applicants and the undersigned representative thank the Examiner for pointing out the same.

In response, an IDS is sought to be submitted accompanying the present response. Consideration of the reference and making the same of record, is respectfully requested.

#### ***Claim Rejections - 35 U.S.C. § 101***

In paragraphs 3 and 4 of the Outstanding Office Action, claims 1-10 and 20-28 were rejected under 35 U.S.C. § 101 allegedly as being directed to non-statutory subject matter. Even assuming arguendo that the document entitled, "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility" (hereafter "Guidelines") is sound law and that the requirement "useful, tangible and concrete result" need to be met by claim 1-10 and 20-28 to constitute patentable subject matter under 35 U.S.C. § 101, Applicants respectfully traverse or assert that the rejection is rendered moot in view of the foregoing amendments, based on at least the below reasons.

The Examiner agrees that claims 1-10 and 20-28 are useful and concrete, but alleges that the claims fail to meet the 'tangible result' requirement (see the last 4 lines of paragraph 4 of the Outstanding Office Action).

The rejection is believed to be rendered moot at least in view of the foregoing amendments.

In particular, amended claim 1 recites both a random access memory and a secondary storage, which meets the tangible result requirement.

5           Furthermore, the claimed approach meets both "a real world result" and "practical application" sub-criteria noted by the Examiner (see page 3, lines 5-10 of the Outstanding Office Action) in that each of the independent claims 1, 7, and 20 causes examination of a FAT (in a secondary storage) to determine the cluster identifiers of a file, and the cluster identifiers to be stored in a RAM, in response to a specific condition (i.e., when the content  
10 of the file is required to be retrieved for processing).

Claims 2-6 depend from claim 1, and constitute patentable subject matter at least for the reasons noted above.

Claim 5 constitutes patentable subject matter for the independent reason in defining further the specific manner in which a file is retrieved.

15           Currently amended independent claim 7 is also believed to constitute patentable subject matter for one or more of the reasons noted above.

Claims 8-10 depend from claim 7, and constitute patentable subject matter at least for the reasons noted above.

20           Currently amended independent claim 20 is also believed to constitute patentable subject matter for one or more of the reasons noted above.

Claims 21-25 depend from claim 20, and constitute patentable subject matter at least for the reasons noted above.

The rejection with respect to claims 26-28 is rendered moot, as the claims are sought to be canceled.

Accordingly, withdrawal of the rejection under 35 U.S.C. § 101 is respectfully requested.

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***Claim Rejections - 35 U.S.C. § 112***

In paragraphs 5-7 of the Outstanding Office Action, claims 2, 11, and 21 have been rejected under 35 U.S.C. § 112, second paragraph, noting that the term "sets of identifiers" lacks sufficient antecedent basis. All the three claims are sought to be amended to provide the necessary antecedent basis.

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Withdrawal of the rejections under 35 U.S.C. § 112 with respect to claims 2, 11 and 21 is respectfully requested.

The Examiner is again thanked for the detailed examination.

***Claim Rejections - 35 U.S.C. § 103***

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Claims 1-4, 11-14, 20-23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (Patent Number 6,604,170) in view of Macon Jr. *et al* ('Macon' hereinafter) (Patent Number 5,715,455).

The rejections are rendered moot at least in view of the foregoing amendments.

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For example, currently amended claim 1 recites, among other features, "..., wherein said determining and storing are performed when the content of said first file is to be retrieved from said secondary storage for processing."

By determining the identifiers and storing them in a RAM when the content of the file is to be retrieved from the secondary memory for processing, the memory requirements are

reduced (since the memory is available for other purposes before the content of the file is to be retrieved).

Suzuki and Macon, either alone or in combination, do not teach or reasonably suggest such a feature. Applicants now point to the basis believed to support the assertion.

5           With respect to Suzuki, it appears that the Examiner equates the claimed set of identifiers with EXT-FAT items of Suzuki. Even assuming arguendo that such equating is valid, it is noted that EXT-FAT is not formed from FAT when the content is to be retrieved from the secondary storage.

10           In sharp contrast, based on Col. 9 line 55 through Col. 10 line 54, it is believed that Suzuki forms EXT-FAT when a new file is being created (not when the content is sought to be retrieved).

Accordingly, Suzuki does not teach one or more features of amended claim 1.

15           Macon does not cure that deficiency. In particular, Macon expressly discloses that, A data processing system, such as a personal computer, contains a file allocation table that is stored in memory in a packed format. ***During initialization, file allocation tables stored on an external storage device are "packed" and stored in a region of memory and subsequently "unpacked" during a read operation.*** (Abstract of Macon, ***Emphasis Added***)

20           Based on the emphasized portion, it is asserted that Macon also does not teach one or more of claimed features noted above.

Withdrawal of the rejection under 35 U.S.C. § 103 as against amended claim 1 is respectfully requested.

25           Claims 2-4 depend from currently amended claim 1, and are allowable at least for reasons noted above with respect to claim 1.

The remaining currently amended independent claims 11 and 20 are allowable over Suzuki in view of Macon for at least for some of the reasons noted above with respect to claim 1.

5 The dependent claims are allowable at least as depending from the corresponding allowable base claims.

### **Conclusion**

10 Accordingly all the objections and rejections of record are believed to be overcome. Continuation of examination is respectfully requested. The Examiner is invited to telephone the undersigned representative at 707.356.4172 if it is believed that an interview might be useful for any reason.

Respectfully submitted,

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